

SENATE BILL 836

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 59,
Chapter 8, relative to reclamation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 59-8-208, is amended by adding the following as a new subsection:

(f)

(1) Notwithstanding this section, a formerly operating open pit mine or quarry that agrees to receive fill or borrow material from state highway construction projects is exempt from all local restrictions, rules, regulations, municipal ordinances, and county resolutions that limit the operator's ability to fill the pit and reclaim and restore the site if:

(A) The fill work complies with the requirements of the Tennessee Water Pollution Control Act, compiled in title 69, chapter 3, part 1; and

(B) In all other ways satisfies this state's rules applicable to the fill activity.

(2) For the purposes of this subsection (f), local governments may require surety that affected streets and roads will be restored to their original condition.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.